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# Emails show Trump EPA overruled career staff on Wisconsin air pollution

WASHINGTON (Reuters) - Politically appointed U.S. environmental officials last year overruled concerns of career scientists about air pollution in a Wisconsin county where U.S. President Donald Trump has pushed for a factory to be built by Foxconn Technology Co, newly released internal emails show.



FILE PHOTO: U.S. President Donald Trump (C) takes part in a groundbreaking with Wisconsin Governor Scott Walker (L) and Foxconn Chairman Terry Gou during a visit to Foxconn's new site in Mount Pleasant, Wisconsin, U.S., June 28, 2018. REUTERS/Kevin Lamarque

Trump has been a supporter of the Taiwanese technology giant Foxconn building a flat screen factory in Racine County Wisconsin, a project the company said could create up to 13,000 jobs. He announced the project at a ceremony in 2017 and has claimed it is proof of his ability to revive U.S. manufacturing. Former Wisconsin governor Scott Walker, a Republican, helped secure about \$4 billion in tax breaks for the project.

But Racine County has suffered some of the state's worst cases of smog, also known as ozone, pollution that causes premature deaths from lung and heart complications.

The emails obtained by the Sierra Club and Clean Wisconsin under a freedom of information request show Trump administration officials, including then-administrator Scott Pruitt, overruled career EPA scientists to exempt Racine County from a list of counties that break smog standards. That has freed Foxconn from having to make millions of dollars in pollution control devices, if the project is eventually built.

The Racine County case is latest example of the administration overlooking concerns flagged by agency scientists over other issues such as climate change or hazardous chemicals.

“My background is in air pollution health effects and more specifically on acute exposures, so for me personally this is hard to digest and support,” Lars Perlmutter, an EPA scientist, wrote to colleagues in an April email last year about pressure to make the exemption, one of the emails shows.

Jenny Liljegren, a scientist in the air and radiation division in EPA’s Midwest region, said she was “in disbelief” about the pressure from officials to make the exemptions. “I do not see a sound technical basis for the areas we are being directed to finalize in Wisconsin.”

In an exchange of emails with Liljegren, another EPA scientist, Eric Svingen, complained that Wisconsin “cherry picked” air quality data over wider areas of the state to suggest that emissions that form smog were not ultimately doing so within the Wisconsin borders.

“These emails show is that the political leadership appeared to be injecting itself in this process in a way that’s contrary to having fact-based decisions,” said Janet McCabe, head of air quality at the EPA under former President Barack Obama.

Foxconn did not immediately respond to a request for comment. In April the company, an Apple Inc supplier, said it was committed to its contract to build the flat screen plant and research facilities in Wisconsin.

EPA spokesman Michael Abboud referred questions about the emails to a brief the agency filed May 10 in the case. The brief said that EPA considers a wide range of information in deciding which areas are in compliance with air pollution rules and that “each designation is intensely fact-driven.”

The White House did not immediately respond to a request for comment.

Illinois, which neighbors Wisconsin and could see greater levels of pollution, sued the EPA last year over the exemption in Racine County and the agency is also under pressure from lawsuits from environmental groups.

In the May 10 brief, the EPA asked a federal appeals court to take another look at the smog exemption decisions under Pruitt, but until the court makes any ruling companies do not have to purchase the pollution equipment.

additional reporting by Valerie Volcovici in Washington; Editing by David Gregorio

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## The New York Times

# *E.P.A. Experts Objected to 'Misleading' Agency Smog Decision, Emails Show*



By Lisa Friedman

May 24, 2019

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WASHINGTON — Newly released emails show that Environmental Protection Agency scientists raised strong objections to a 2018 decision by Scott Pruitt, who was head of the agency at the time, to exempt most of southeastern Wisconsin from federal limits on smog.

The decision by Mr. Pruitt was notable because it came as Gov. Scott Walker, a Republican, was campaigning for a third term and trying to bring a Foxconn factory, and thousands of new manufacturing jobs, to a part of the state where pollution levels already exceeded federal limits.

Mr. Walker ultimately lost his re-election bid to Tony Evers, a Democrat. And Foxconn, the Taiwanese consumer electronics giant, announced in January that it was reconsidering its plan to build a \$10 billion plant in Wisconsin, though the company later said it would build a smaller factory in the state.

But, in spring 2018, as the governor's race was heating up, Mr. Walker championed the Foxconn deal and the 13,000 jobs it promised to create. The factory, however, also threatened to create a new source of pollution in the region.

Mr. Pruitt subsequently decided to significantly reduce the size of areas in Wisconsin required to crack down on the emissions of pollutants that cause smog. That ruling, which reversed the findings of an agency decision under the Obama administration, would have saved Foxconn from having to install expensive and more stringent pollution controls.



Scott Pruitt, the former Environmental Protection Agency administrator, on Capitol Hill last year. Pete Marovich for The New York Times

Hundreds of emails and internal documents released Friday to two environmental groups, the Sierra Club and Clean Wisconsin, as part of a federal public records request show senior E.P.A. scientists complaining that conclusions in support of the decision, which could not be supported by data, were being demanded by top Trump administration officials.

“I do not see a sound technical basis for the areas we are being directed to finalize in Wisconsin,” Jennifer Liljegren, an E.P.A. physical scientist involved in the decision-making, wrote to colleagues in an email dated April 11, 2018. “I will need the wordsmithing of the legal and policy experts if we are really going to do this — I am still in disbelief.”

One of those colleagues, Lars Perlmutter, an E.P.A. health scientist, replied, “I have a background in air pollution health effects and more specifically on acute exposures, so for me personally, this is hard to digest and support.”



A few days later, the emails show, the same staff members expressed concern about “intentional omissions” in the new analyses, which had the effect of reducing the number of Wisconsin counties in violation of federal smog standards.

“Taking snippets of information out of context and not telling the whole story is inappropriate, misleading to the public and dilutes the clarity of the technical information,” Ms. Liljegren wrote.

Michael Abboud, a spokesman for the E.P.A., said in a statement, “We refer you to our recently filed brief in *Clean Wisconsin v. E.P.A.*” In that brief, part of a lawsuit against the government over the smog designations, the agency said its actions were proper. “In each holistic analysis, E.P.A. considered the relevant factors,” it asserted.

Janet McCabe, who served as the E.P.A. air quality chief under former President Barack Obama, accused the Trump administration of putting politics above public health.

“These are supposed to be science-based decisions under the Clean Air Act, and yet you see career staff struggling to explain unexplainable decisions,” Ms. McCabe said.

Spokesmen for Foxconn and for Governor Evers did not immediately respond to requests for comment.

For more news on climate and the environment, follow @NYTClimate on Twitter.

Lisa Friedman reports on climate and environmental policy in Washington. A former editor at Climatewire, she has covered nine international climate talks. @LFFriedman

# Trump EPA backs away from smog breaks for Foxconn, Indiana steel mills



Christopher Tank Murdock, the first Wisconsin Foxconn employee, from left, Wisconsin Gov. Scott Walker, President Donald Trump, Foxconn Chairman Terry Gou and House Speaker Paul Ryan at a groundbreaking for the Foxconn plant June 28, 2018, in Mount Pleasant, Wis. (Brian Cassella/Chicago Tribune)

When the Trump administration exempted parts of the Chicago area last year from federal limits on lung-damaging smog, it delivered a huge financial break to steel mills, chemical plants and other industries that are some of the region's biggest polluters.

Scott Pruitt, who at the time headed the U.S. Environmental Protection Agency, also [freed the Foxconn Technology Group](#) from spending millions of dollars on pollution-control equipment as it builds a new electronics plant in southeast Wisconsin, just north of the Illinois border in an [area with some of the region's dirtiest air](#).

But faced with a legal challenge from environmental groups and a coalition of cities and states, including Chicago and Illinois, federal lawyers are having second thoughts about Pruitt's controversial decision.



In a few densely worded paragraphs buried at the end of a [63-page document](#), attorneys for the EPA and Justice Department asked a federal appeals court this month for what, in legal terms, amounts to a do-over.

Administration officials aren't admitting they did anything wrong, the lawyers contend. But they can see EPA data showing the region's smog problems are getting worse, not better, and that polluters in four counties singled out by Pruitt for special treatment are contributing to chronically dirty air breathed by millions of people.

The court shouldn't rule against the Trump administration, the lawyers pleaded. Rather, they said, it "could benefit from additional explanations" and the EPA could end up revising its designations.

"These federal attorneys looked at the record, relied on their professional judgment and realized there isn't any evidence to justify Pruitt's last-minute switcheroo," said Howard Learner, executive director of the Environmental Law and Policy Center, one of the non-profit groups that sued to overturn the EPA's smog designations in Illinois, Indiana and Wisconsin.

By dramatically reducing the size of areas required to crack down on dirty air, [Pruitt](#) overruled the agency's career scientists, a move that saved Foxconn and other polluters from either installing more effective pollution-control equipment, scaling back production to reduce emissions or brokering costly trading agreements with cleaner industries.

Other beneficiaries included then-Wisconsin Gov. [Scott Walker](#), a Republican who made Foxconn the centerpiece of his 2018 re-election campaign. Walker already had wooed the company to Racine County with \$3 billion in financial incentives, promises to [relax state environmental laws](#) and access to [Lake Michigan](#) water.

Walker, who ended up losing to Democrat Tony Evers in November, blamed Chicago for making the air unhealthy to breathe in Wisconsin. But an EPA [staff analysis](#) concluded Wisconsin is at least partially responsible for its own smog problems, and [documents](#) filed with the Wisconsin Department of Natural Resources show Foxconn will be a major new source of smog-forming pollution.

Newly released emails show EPA scientists strongly objected to Pruitt's decision, which they said could not be supported with data despite political pressure from Trump administration officials and then-House Speaker Paul Ryan, a Wisconsin Republican. The

emails were obtained Friday by the Sierra Club and Clean Wisconsin as part of a federal public records request.

“I do not see a sound technical basis for the areas we are being directed to finalize in Wisconsin,” Jennifer Liljegren, an EPA scientist, wrote to colleagues in an April 11, 2018, email. “I will need the wordsmithing of the legal and policy experts if we are really going to do this — I am still in disbelief.”

One of the recipients of that email, EPA scientist Lars Perlmutter, replied, “I have a background in air pollution health effects and more specifically on acute exposures, so for me personally, this is hard to digest and support.”

Another email from Liljegren concluded that Wisconsin polluters are responsible for up to 15 percent of the smog detected by air quality monitors — enough to register violations in all of the areas exempted by Pruitt.

Smog, also known as [ground-level ozone](#), is formed by a reaction between sunlight and pollution from car tailpipes, power plants and factories, fumes from volatile solvents and gasoline vapors. After a scientific review required every five years by the federal Clean Air Act, the Obama EPA [tightened the national smog standard](#) in 2015 to 70 parts per billion, down from the 75 ppb limit set during the Bush administration.

Average [smog concentrations](#) in the counties at issue exceeded the new federal limit during the past three years, according to monitoring data. In Racine County, for instance, smog levels peaked at 90 ppb last year and averaged 78 ppb between 2016 and 2018, even without Foxconn operating.

More perplexing is Pruitt’s reversal of the EPA staff designation for northwest suburban McHenry County.

Unlike Wisconsin officials, who under Walker insisted the state’s air was clean enough to pass muster, the Illinois EPA had repeatedly included McHenry in its lists of areas required to take additional smog-fighting measures. Monitoring data supports that decision: Smog concentrations in McHenry averaged 72 ppb between 2016 and 2018 and peaked at 77 ppb last year.

But Alec Messina, a former industry lobbyist who headed the state agency under Republican Gov. Bruce Rauner, abruptly reversed course after phone conversations with Clint Woods, a top Pruitt aide.

“Just wanted to check to see if you might have a free 5 min today or tmrw for a quick call about ozone. The administrator asked me to reach out with 2 quick questions,” Woods wrote to Messina in an April 25, 2018, email obtained by the Chicago Tribune through a public records request.

While the content of subsequent phone conversations wasn’t documented, Messina sent Pruitt a [one-paragraph letter two days later](#) agreeing that McHenry County should be exempted from the new smog standard.

Pruitt, in turn, relied on the Messina letter [as the only evidence](#) supporting his decision.

The former EPA administrator also tweaked the agency’s final calculations for northwest Indiana by including years with fewer bad air days. Lake and Porter counties [recorded average levels](#) just below the new smog standard when 2014 monitoring data was included. That gave Pruitt a rationale for exempting part of Lake and all of Porter, including the ArcelorMittal steel mill in Burns Harbor, the largest source of smog-forming pollution in the region.

However, the [EPA staff report](#) concluded that pollution from the two counties contributes to air quality problems in the larger Chicago metropolitan area. During the most recent three-year period, smog concentrations in Porter County averaged 73 parts per billion and peaked last year at 85 ppb.

“Our final (metropolitan) area designation for Chicago is not the result of an analysis with any technical support,” Eric Svingen, an engineer in the EPA’s Chicago office, wrote in an April 24, 2018, email to colleagues who were attempting to draft a report that reflected Pruitt’s wishes.

It remains to be seen if the federal appeals court will give Trump administration officials another chance to revise the Chicago-area smog designations. During President Donald Trump’s first two years in office, his administration prevailed only 6 percent of the time when its anti-regulatory decisions were challenged in the courts, according to a [Brookings Institution study](#).

"I've never seen an administration with a record this atrocious," said John Walke, an attorney at the nonprofit Natural Resources Defense Council who works on air quality issues. "That's good for the environment and public health, but we shouldn't be forced to defend clean air and water in the first place."

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# Trump Appointees Shunted Scientists on Pollution at Foxconn Site



Scott Walker, from left, Donald Trmp and Terry Gou, chairman of Foxconn, attend the groundbreaking ceremony.

Photographer: Daniel Acker/Bloomberg



Scott Walker, from left, Donald Trmp and Terry Gou, chairman of Foxconn, attend the groundbreaking ceremony.

Photographer: Daniel Acker/Bloomberg

Photographer: Daniel Acker/Bloomberg

Trump administration appointees overruled concerns from their own technical experts in deciding not to impose tougher smog requirements on the Wisconsin county where [Foxconn Technology Group](#) planned a \$10 billion manufacturing facility, newly released documents show.

Under President Donald Trump, the [Environmental Protection Agency](#) initially had recommended labeling Racine County as violating federal air quality standards for ozone in 2017 -- a designation that could have required Taiwan-based Foxconn to install expensive, state-of-the-art pollution controls at its flat-screen manufacturing plant.

But after appeals by [Wisconsin](#)'s Republican Governor Scott Walker and at the apparent direction of then EPA Administrator Scott Pruitt, the agency reversed course in 2018, ruling Racine was in compliance with the ground-level smog standard. The decision followed weeks of objections from career staff at the agency, who said they saw no technical basis to justify it, according to correspondence released under a public records request.

"I am still in disbelief," one wrote, after citing new directions from Pruitt that clashed with the agency's earlier proposal to label the region as being in "nonattainment."

#### [Earlier: EPA Chief Scott Pruitt Resigns Amid Crush of Ethics Scandals](#)

"I do not see a sound technical basis for the area we are being directed to finalize in Wisconsin," Jenny Liljegren, a scientist in EPA's Air and Radiation Division, wrote in an April 11, 2018 email.

The documents, obtained by the [Sierra Club](#) and Clean Wisconsin under the Freedom of Information Act, show technical experts repeatedly questioned Wisconsin officials' assertions that the areas should be classified as satisfying federal ozone standards.

Janet McCabe, the EPA's former acting administrator for air quality, said the Trump administration's handling of the issue clashes with the agency's "long tradition of very carefully, consistently applied interpretation by scientists to make recommendations to the administrator about where to draw these lines.

"To see apparent direction from political leadership that the technical staff is objecting to is disturbing," McCabe said in a telephone interview.



In a legal brief filed with a federal appeals court in Washington earlier this month, the EPA asked for permission to reconsider its decision about ozone levels in Racine County and other parts of Wisconsin. While the EPA stressed in its filing it wasn't admitting any errors, the new review could lead the agency to declare the area as violating 2015 ozone limits of 70 parts per billion.



Scott Pruitt

Photographer: Andrew Harrer/Bloomberg

[Read More: Inside Wisconsin's Disastrous \\$4.5 Billion Deal With Foxconn](#)

Asked for comment, an EPA spokesman referred to the legal filing. Pruitt resigned last July. Walker was defeated for re-election in November.

Ground-level ozone, a chief component of smog, forms when nitrogen oxides and volatile organic compounds released by burning fossil fuels react in the presence of sunlight. Even at low levels, ozone can worsen asthma, emphysema and other respiratory illnesses.

The backdrop for the EPA's ozone deliberations was Foxconn's proposed factory hub south of Milwaukee. The company agreed to build the facility and create as many as

13,000 local jobs after Trump helped broker a \$4.5 billion package of government incentives he proclaimed “one of the great deals ever.”

A decision that the region was in nonattainment with the smog standards could trigger more stringent pollution control requirements for Foxconn and discourage future expansions.

Wisconsin leaders had pushed the EPA to designate Racine County as meeting ozone standards, or, failing that, to limit the so-called nonattainment areas to a narrow band around the shore of Lake Michigan.

[Read More: Trump Met With Billionaire Gou Amid Run for Taiwan Presidency](#)

State officials invoked the planned upcoming construction of the Foxconn campus in a February 2018 email, warning that if the area were deemed out of step with the smog standards, it could “result in businesses making the decision to pull back on the reins of growth.”

EPA officials openly considered the impact of its ozone decision on Foxconn’s manufacturing site as they weighed the final ruling. In a March 22 briefing memo for Bill Wehrum, the assistant administrator for the Office of Air and Radiation, the staff noted that two approaches would exclude the Foxconn site, keeping it out of a nonattainment area.

But EPA staff also warned that there was “significant legal risk” if the agency sided with Wisconsin and labeled the area as satisfying smog rules, since data showed otherwise.

The caution proved prescient. After the EPA proclaimed Racine County was in compliance, a coalition of environmental groups, cities and counties [challenged the designation](#) in federal court.

The coalition includes the cities of Chicago and Sunland Park, New Mexico, as well as the environmental and public health groups Clean Wisconsin, Center for Biological Diversity, Familias Unidas del Chamizal and the Sierra Club.

The Sierra Club has received funding from Bloomberg Philanthropies, the charitable organization founded by Michael Bloomberg, founder and majority owner of Bloomberg News parent Bloomberg LP.

In a statement last month, Foxconn said it [remains committed](#) to the project and would begin building the manufacturing facility this summer.

## ATTACHMENT B

*Declaration of Laurence B. Stanton***Declaration of Laurence B. Stanton**

1. I am a member of the Environmental Law and Policy Center, and have been a member since 2008.
2. I live at 515 Myrtle in Beverly Shores, Indiana, in Porter County. I live approximately a block away from the Lake Michigan beach, between the NIPSCO power plant and the steel mills that are on Lake Michigan's shore.
3. My wife lives with me. We are both 65 years old.
4. We have lived in Beverly Shores for 30 years.
5. I have a consulting business and work out of my home.
6. I spend a lot of time outdoors. I garden, run, visit the beach a block from my house, sail on Lake Michigan, and cross-country ski.
7. I have allergies to pollen.
8. I am the president of the Beverly Shores Environmental Restoration Group, and am on the board of the Shirley Heinze Land Trust.
9. I am concerned that EPA is not taking steps to improve air quality in Porter County.
10. I support the Environmental Law and Policy Center's efforts to ensure EPA takes steps to improve air quality in Northwest Indiana by designating Porter and Lake Counties in Indiana as nonattainment areas for ozone.

I declare under penalty of perjury that the foregoing is true and correct. Executed in Beverly Shores, Indiana on June 20, 2019.



Laurence B. Stanton

**Declaration of Catherine Horine**

1. I am a member of Respiratory Health Association, and have been a member since 2014.
2. I live in Wheeling, in Cook County, Illinois. I have lived there for about two years, and before that, I lived in Grayslake in Lake County, Illinois.
3. In 2014, I developed an undiagnosable, life-threatening lung disease and was told that I would need a lung transplant to live.
4. I received a transplant of one lung in November 2014.
5. I now mostly stay indoors, except for going to my doctor appointments, to avoid breathing air pollution. If I must go outside, I wear a mask for the walk between buildings and my car. Sometimes I even wear my mask in my car, if I am in traffic behind a large truck that is spewing pollution.
6. If I breathe enough polluted air, my transplanted lung could go into rejection, which could kill me.
7. My doctors have advised me to stay indoors on days when there are high levels of ozone pollution.
8. Last summer there were approximately twenty ozone action days where I live, and I was stuck inside on those days.
9. I am very concerned about air pollution. I want to keep my one functioning lung healthy for as long as possible, and I don't want to lose my lung because of air pollution.



10. I support Respiratory Health Association's efforts to ensure EPA takes steps to improve air quality in Cook County by designating nearby polluting counties, including Lake and Porter Counties in Indiana, McHenry County in Illinois, and Kenosha County in Wisconsin, as nonattainment areas for ozone.

I declare under penalty of perjury that the foregoing is true and correct. Executed in Wheeling  
Illinois on June 6, 2019.

Catherine M. Horine  
Catherine Horine



**Declaration of Linda Lipton**

1. I am a member of the Environmental Law and Policy Center, and have been a member since 2007.
2. I am 69 years old.
3. I live in Evanston, Illinois, about a block away from Lake Michigan, near the intersection of Central and Orrington.
4. My husband lives with me, and he has a chronic and severe neurological illness.
5. We have lived in Evanston for 39 years. At first we lived on the south side of Evanston, about two and half blocks from Lake Michigan. We moved to our current house about 22 years ago.
6. I spend a lot of time outdoors. I garden and take long walks.
7. I am concerned that EPA is not taking steps to improve air quality in Cook County to protect my and my husband's health.
8. I support the Environmental Law and Policy Center's efforts to ensure EPA takes steps to improve air quality in Cook County by designating nearby polluting counties, including Lake and Porter Counties in Indiana, McHenry County in Illinois, and Kenosha County in Wisconsin, as nonattainment areas for ozone.

I declare under penalty of perjury that the foregoing is true and correct. Executed in Evanston,  
Illinois on June 10, 2019.

  
Linda Lipton

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

CLEAN WISCONSIN, *et al.*,

*Petitioners,*

V.

UNITED STATES  
ENVIRONMENTAL  
PROTECTION AGENCY, and  
ANDREW K. WHEELER, as  
Acting Administrator of the United  
States Environmental Protection  
Agency,

*Respondents.*

Case No. 18-1203 (consolidated  
with Nos.18-1205, 18-1206, 18-  
1208, 18-1212, and 18-1214)

## **REBUTTAL DECLARATION OF STEPHEN ZEMBA, Ph.D**

I, STEPHEN ZEMBA, state and declare as follows:

1. I am over 18 years of age and competent to give this rebuttal declaration. I have personal knowledge of the following facts, and if called as a witness could and would testify competently to them. As to those matters that reflect an opinion, they reflect my personal opinion and judgment on the matter.

2. I have reviewed my previous declaration (“Declaration”) in this matter, dated January 24, 2019, and it remains true and accurate.

3. In paragraph 25 of my Declaration, I stated that “it is my opinion that there will be a decrease in air quality in the State of Illinois and City of Chicago as a result of EPA’s failure to adequately protect the State and City’s residents against ozone pollution emanating from the part of Lake County, Indiana designated as attainment; Porter County, Indiana; Racine, Waukesha, and Washington Counties in Wisconsin; the parts of Kenosha, Milwaukee, and Ozaukee Counties in Wisconsin designated as attainment; and McHenry and Monroe Counties in Illinois.”

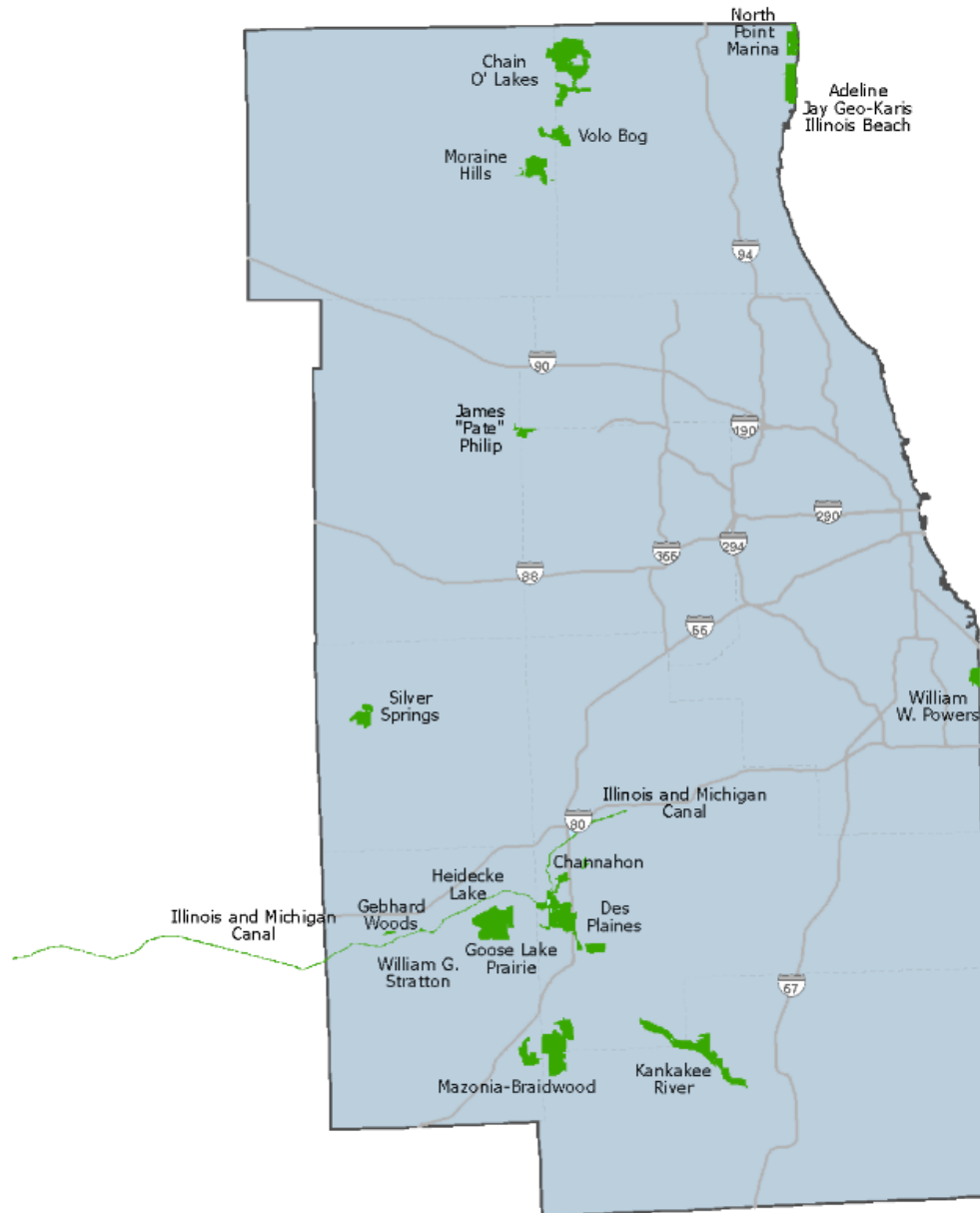
4. I understand that it has been argued that the State of Illinois and City of Chicago cannot rely on harm to their residents to challenge the designations listed in paragraph 3. But that is not the only harm that my Declaration cited. Rather, paragraph 7 of my Declaration also stated that ozone “damages vegetation.”

5. Indeed, increased ozone and precursor emissions of NO<sub>x</sub> and VOCs from sources in the counties listed in paragraph 3 not only harm the health of the residents of the State of Illinois and City of Chicago; they also harm trees and other vegetation on state and city owned-and-operated lands. These lands include Illinois State Parks and Chicago Park District parks.

6. My Declaration used a “back-trajectory analysis” to identify the areas through which air traveled before it arrives at a destination.

7. Before arriving in Chicago, Illinois, pollution contributing to high ozone concentrations in Chicago, Illinois that originated in the counties listed in

paragraph 3 passed over Illinois State Parks in Northeast Illinois such as those identified below.<sup>1</sup>

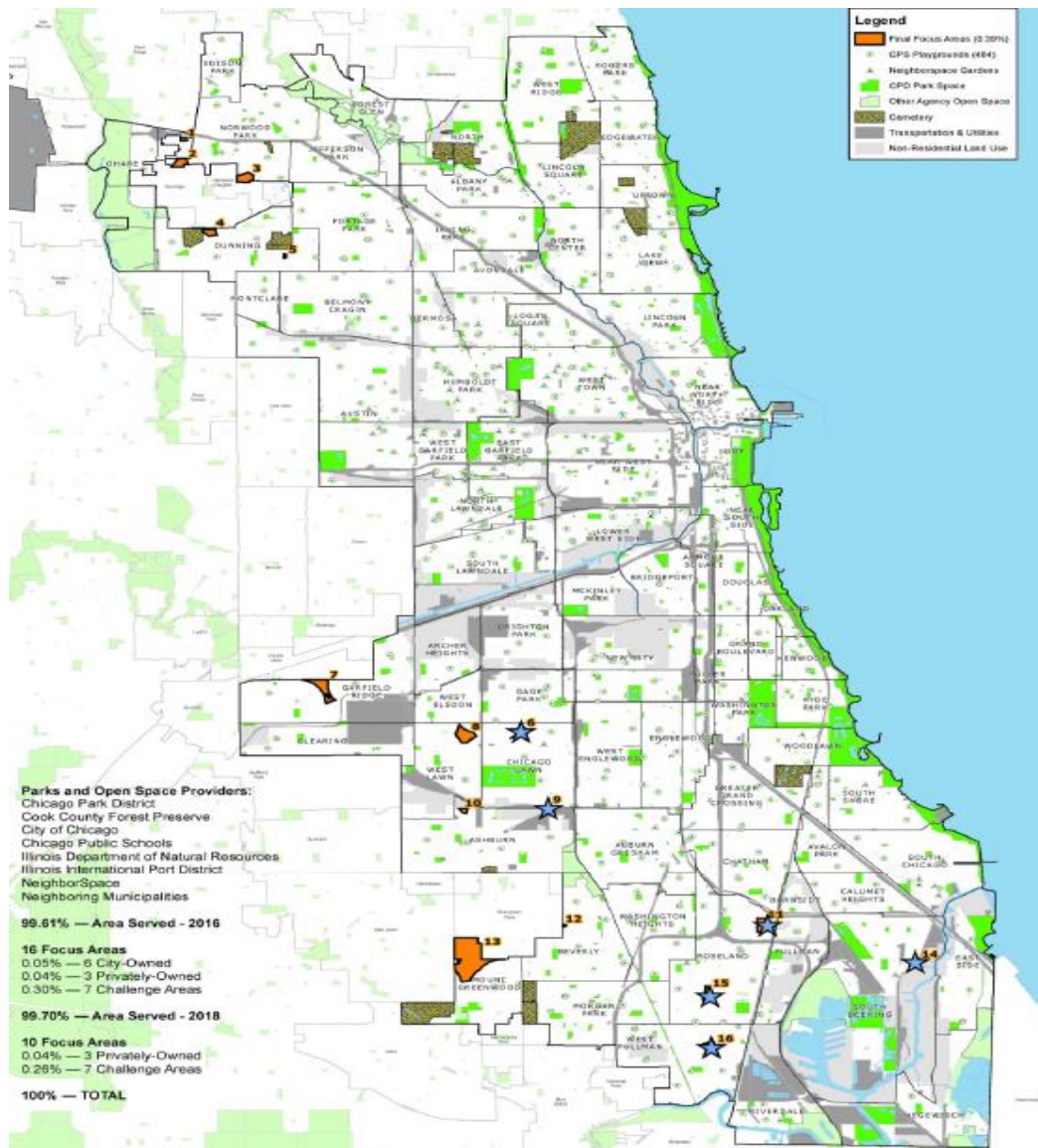


8. Once in Chicago, Illinois, pollution that originates in the counties listed in paragraph 3 damages city owned-and-operated lands, including the more than 600

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<sup>1</sup> <https://www.dnr.illinois.gov/Parks/Pages/Northeastern.aspx>.

parks, 8,800 acres of green space, and 500,000 trees owned and managed by the City of Chicago.<sup>2</sup> For example, pollution that originates in the counties listed in paragraph 3 passed through City of Chicago parks such as those identified below.



3

<sup>2</sup> <https://www.chicago.gov/city/en/depts/streets/provdrs/forestry.html>;  
<https://www.chicagoparkdistrict.com/about-us>.

<sup>3</sup> <https://assets.chicagoparkdistrict.com/s3fs-public/documents/news/Our%20Response%20to%20the%20FOTP%20State%20of%20the%20Parks%20Report.pdf>.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on July 12, 2019 in Barre, Vermont.



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Stephen Zemba, Ph.D